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Security Council

Fifty-seventh year

Provisional

4638th meeting

Wednesday, 30 October 2002, 3 p.m.

New York

President:	Mr. Belinga-Eboutou	(Cameroon)
Members:	Bulgaria	Mr. Tafrov
	China	Mr. Jiang Jiang
	Colombia	Mr. Valdivieso
	France	Mr. Duclos
	Guinea	Mr. Traoré
	Ireland	Mr. Corr
	Mauritius	Mr. Gokool
	Mexico	Mrs. Arce de Jeannet
	Norway	Mr. Kolby
	Russian Federation	Mr. Konuzin
	Singapore	Ms. Foo
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United States of America	Mr. Williamson

Agenda

The situation in Afghanistan.

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02-66744 (E)

The meeting was called to order at 3.20 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Afghanistan

The President (*spoke in French*): I should like to inform the Council that I have received a letter from the representative of Afghanistan in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Farhadi (Afghanistan) took a seat at the Council table.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Lakhdar Brahimi, Special Representative of the Secretary-General for Afghanistan.

It is so decided.

I invite Mr. Brahimi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Council will hear a briefing by Mr. Lakhdar Brahimi, Special Representative of the Secretary-General for Afghanistan, on whom I now call.

Mr. Brahimi (*spoke in French*): I should like to say how pleased I am, and what an honour it is for me, to take the floor under your presidency, Sir.

(*spoke in English*)

The Council has before it a report of the Secretary-General that outlines all the major developments since last July. My briefing will therefore focus on a few key issues, in particular those which have arisen since I last had the privilege of appearing before the Council, on 19 September.

As members of the Council know, security remains a priority concern for the people of Afghanistan. Sporadic fighting continues to erupt from time to time, particularly in the north, the south-east and, to a lesser extent, the west. The Government does not yet have the means to deal in an effective manner with the underlying problems which are the cause of such threats to security. The Government, with the support of the United Nations, can address only the symptoms, like a fire brigade; the Government's and our interventions aim to put out the local fires, rather than to prevent their occurrence.

Once again, the factional leaders in the north — Generals Abdul Rashid Dostum and Atta Mohammad — have been brought together to control those of their commanders who are responsible for the repeated incidents of the past few weeks. The Government has also intervened to stop the fighting between Ismael Khan and Amanullah Khan in the west. In the south-east, it was hoped that the forcible eviction of Pahsha Khan Zadran would put an end to insecurity in the region. This hope proved premature, however, and clashes continue to occur there. We deplore the heavy toll taken by all of these incidents — more than 50 deaths throughout the country and about the same number of wounded, many of them civilians.

Just as deplorable as the clashes between armed groups and the resultant loss of life are all the daily abuses to which the civilian population is subjected in many parts of the country, including Kabul. Speaking at a seminar organized by the Supreme Court last week, President Karzai expressed his frustration and that of the people of Afghanistan in very strong terms, and directed a blunt warning to those who were responsible for the continuing insecurity in the country.

There will be no long-term solution to the security problems of Afghanistan unless and until a well-trained, well-equipped and regularly paid national police force and national army are in place. With Germany as the lead nation, work is proceeding well as far as the national police is concerned. Things are slower and more complicated with the national army. The National Defence Commission had some useful consultations in September and early October. But the

results that it has achieved so far remain unsatisfactory. It is hoped that the Commission will resume its work soon and produce a clear, credible and achievable plan for the formation of the national army.

In our opinion, such a plan needs to include several elements. First, the Ministry of Defence must be reformed. Secondly, there must be a firm commitment by all factional and regional leaders — all of whom are members of the National Defence Commission — to integrate their respective armies within the national army through a process which would lead to part of those armies being phased into the national army and the rest being disarmed and phased out. Thirdly, this would further require a comprehensive demobilization and reintegration programme to help current and former combatants to return to a dignified civilian life. Lastly, the training started by the United States, as lead nation, and by France should be integrated within a comprehensive national training programme, in close cooperation with the Ministry of Defence.

It is encouraging that the Vice-President and Minister of Defence Fahim Khan, as well as other factional leaders, have repeatedly expressed their commitment to these principles. It is hoped that the necessary financial resources will be made available by donors to support the formation of the national police and the national army. Of course, the formation of a national police and a national army will take time. But if both programmes are firmly on track, the peace process will be consolidated and security very significantly improved long before the last policeman and the last soldier have been trained.

In the meantime, I can only repeat what the Secretary-General and I have said consistently since the Bonn Conference: the Government and the people of Afghanistan need, and are asking for, international support to provide security while the national police and national army are being trained.

A drafting committee to prepare the new constitution has been formed, and was announced by the Government one month later than called for in the Bonn Agreement. That delay will not affect the schedule of work, as the draft constitution will be submitted to the Constitutional Loya Jirga only at the end of next year. The committee has started its work, and the United Nations Assistance Mission in Afghanistan (UNAMA) is providing support as mandated by the Bonn Agreement.

At the Supreme Court seminar on 24 October, President Karzai also said that he would formally announce the creation of a new judicial commission this week. Considerable time has been lost in this regard as the earlier commission was recognized as being insufficiently independent. There is substantial and very welcome interest in the international community for both the constitutional and judicial reform processes. Promises have been made to provide generous financial support to both commissions. The Government of Italy, as the lead nation for judicial reform, has already provided some funds to support the establishment of the judicial commission. We very much hope that additional funds will be made available soon to support the vast needs for judicial reform, as well as the constitutional process. We at UNAMA look forward to a well-coordinated international effort to support those processes, on the clear understanding that, in those fields even more than in others, success requires strong national ownership and leadership.

Despite gradual progress in some areas, the human rights situation remains worrisome in many respects. Underlying causes of the situation include the lack of security and the weakness of the central Government, warlordism, persistent factional conflicts in some parts of the country and a very basic and dysfunctional justice system.

Harassment, intimidation and other abuses against the Pashtun ethnic group in the North have receded somewhat in the last month or two, but in many of the northern districts, Pashtun internally displaced persons who were obliged to flee their villages are not yet able to return home. This is particularly the case in the provinces of Faryab, Sar-e Pol and Jowzjan. On 17 October, the Ministry of Refugees and Repatriation, the Office of the United Nations High Commissioner for Refugees (UNHCR) and UNAMA agreed on the establishment of a Return Commission for the North to help overcome those problems.

I should note, however, that those problems transcend human rights and humanitarian concerns and threaten to have an adverse impact on the peace process itself. It is imperative for the Transitional Government and other forces committed to the reconstruction of the country to strengthen the idea that

Afghanistan belongs to all of its citizens, regardless of their ethnic origin or political affiliation. Unfortunately, at present, local commanders continue to violate the rights of Afghans in remote rural areas, with little or no response from any State law-enforcement authority.

In spite of the progress made since the fall of the Taliban regime, the situation of women continues to be a matter of concern in many parts of the country. Local authorities are apparently not intervening in serious cases of domestic violence. Forced marriages are still a frequent phenomenon, and exchanges of girls are sometimes used as a dispute settlement tool between families and factions. In order to improve its capacity to identify significant trends on gender issues, UNAMA has encouraged the establishment of data collection through meetings of a gender network that includes the Ministry of Women's Affairs, United Nations agencies and non-governmental organizations.

On the highly publicized issue of gravesites in the North, we are of the view that impartial investigations should commence as soon as possible. UNAMA agrees with the Afghan Independent Human Rights Commission that the following steps should be taken. First, a multi-site investigation should be undertaken, reflecting a politically impartial approach. Secondly, investigations should, at present, have the limited objective of finding and preserving evidence. At this stage, given the conflict-rich and volatile situation in the North and the fact that we cannot provide effective protection to witnesses, we cannot go beyond that objective.

The Office of the High Commissioner for Human Rights is negotiating on behalf of UNAMA with experienced forensic teams to carry out the technical aspects of the investigation into the gravesites that have been identified. Regrettably, we are now receiving answers from those forensic experts that it would be difficult to start the investigations before next spring, because of adverse weather conditions during the winter months. We still believe that some preparatory work could and should be done before the winter, at least on the protection of the sites. It will be important to convey our intention to proceed in an impartial manner and to defuse the tensions caused by the exclusive media focus on the gravesite at Dasht-e-Leily.

On a positive note, the support project to the Afghan Independent Human Rights Commission has now become operative. Donors have shown significant interest in contributing to the Commission, which will soon be able to recruit additional staff and start opening its regional offices throughout the country. UNAMA and the Office of the High Commissioner for Human Rights are facilitating the provision of technical assistance and expertise in accordance with the programme of work established by the Commission itself.

UNAMA's investigation and monitoring capacity has been strengthened with the arrival of new staff members assigned specifically to the area of human rights. The Mission now has one international human-rights officer in each of its regional offices, and we envisage that each of them will be assisted by two national officers.

Two United Nations Special Rapporteurs have visited Afghanistan very recently: Mrs. Asma Jahangir, Special Rapporteur on extrajudiciary, summary and arbitrary executions and Mr. Kamal Hossain, Special Rapporteur on the human rights situation in Afghanistan.

Another key component of the Bonn process is the preparation for elections, which are called for by the middle of 2004. As I informed the Council in September, the Electoral Assistance Division of the Department of Political Affairs visited Afghanistan, and consultations are now under way with the Afghan authorities, as well as with donors, on how to proceed with the various issues that need to be addressed. Among them are the formation of an electoral commission, the determination of elector-identification systems, the drafting of an electoral law and other laws governing the functioning of political parties.

On the relief, recovery and reconstruction side, a very successful meeting of the Implementation Group was held in Kabul in mid-October, bringing together the Government, donors, the United Nations and other multilateral and non-governmental organization partners. The Government presented a working draft of its development plan and budget, which outlines a vision for Afghanistan's budget and its priorities. The working draft was developed through a consultative process, led by a tripartite group comprised of the Ministries of Finance, Planning and Reconstruction and supported by the programme secretariats and UNAMA.

This illustrates how far the Government has come in developing policies and decisions through intra-ministerial processes.

The draft budget arranges the Government's programme into 12 areas, organized within three pillars: first, human capital and social protection; secondly, physical infrastructure; and thirdly, trade and investment and the rule of law and security. The next step will be to present a full national development budget before the beginning of the Afghan fiscal year in March 2003. Pending the finalization of the budget, the Government has identified a number of national projects as priority areas for the period through March 2003. These are the ongoing national solidarity and public works programmes and projects in education, infrastructure, urban infrastructure and water resources investment, national governance and transport, mainly major roads and airports.

The Government has received enough funds to cover its operating budget for the current fiscal year, and the donors are to be commended for their generosity. However, if the Government is to sustain its efforts, further revenue from the regions will have to be returned to the Government coffers.

The Government has taken an important step to reform the country's finances through the introduction of a new currency. This ongoing process aims to revitalize the financial and banking systems throughout the country and to end the ability of other groups to print currency. The United Nations is helping the Government implement this important project.

One promising example of the United Nations effort to complement Government-led efforts is the 2003 consolidated appeal for Afghanistan that is known as the Transitional Assistance Programme for Afghanistan. It will set out the priorities, strategies and requirements for coordinated international assistance in support of relief, recovery and reconstruction during 2003 and beyond. It will be structured to fit in with the Government budget cycle, and, most important, its programmes will build upon the priorities and programmes set out by the Government during its budget process. Thus, the Programme should reflect immediate and medium-term aims for reconstruction and recovery as set out in the national development budget, while at the same time addressing urgent humanitarian needs associated with the effects of drought, conflict and large population movements. Consultations among Government counterparts, non-governmental organizations, donors and United Nations agencies are currently under way to finalize this document.

At the moment, the Government and the United Nations are giving high priority to preparing for winter and putting in place the assistance that vulnerable groups will need to survive. Some 2.2 million people have been identified as being the most vulnerable and in need of winter assistance in the north, the west, the central highlands and the south. Special attention is also being given to those living in rural areas who will potentially be cut off, and in need of support.

In urban areas, priority will be given to returnees and internally displaced persons who lack adequate shelter or support mechanisms, and extremely vulnerable indigenous families. The United Nations has begun stockpiling and pre-positioning food and shelter items, and plans are being finalized to ensure that access to isolated communities is maintained. However, there are still outstanding needs for shelter, fuel, blankets and other items, for which additional resources are urgently needed from donors.

In the health sector, a three-day nationwide immunization campaign against polio started in Afghanistan on 22 October, supported by the Ministry of Public Health, the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO). Afghan health professionals have made significant strides in recent years towards the global objective of polio eradication, a remarkable achievement given the circumstances they face. So far in 2002, there have been only seven new cases of polio reported compared to 27 two years ago.

With regard to the return of refugees, we remain concerned that Afghanistan does not currently have the capacity to absorb the large numbers of refugees who are returning. More than 1.5 million Afghans have returned this year from Pakistan alone. Work is therefore being undertaken to coordinate the return process with the host countries.

On 22 October, Afghanistan, Pakistan and the Office of the United Nations High Commissioner for Refugees (UNHCR) held discussions on the return operations for the coming year, and an agreement in principle was reached regarding a framework for the voluntary repatriation of Afghans from Pakistan. A similar tripartite commission, comprising Iran,

Afghanistan and UNHCR, is scheduled to meet on 3 and 4 November in Kabul.

Following the Implementation Group meeting, the Government presented its counter-narcotics strategy at an international meeting in Kabul convened by the National Security Council, which is now in charge of coordinating Afghanistan's counter-narcotics effort. Unfortunately, a significant increase in opium production is foreseen this year. It is expected that it will take the best part of the decade before opium production is eradicated, as strengthened legal and security measures and the creation of alternative livelihoods become effective realities.

I am often asked if, in the light of events over the last 12 months, there is real scope for optimism in Afghanistan. My answer is a confident but somewhat qualified yes. Considering where it was a year ago, Afghanistan has made remarkable progress. But considering where it needs to go, Afghanistan needs continued commitment from its leaders to work together, to achieve genuine reconciliation, and as I said earlier, to accept and strengthen the idea that Afghanistan belongs to all its citizens.

There is also a continued need for international attention and sustained support to the people of Afghanistan. The people of Afghanistan are looking to the United Nations in general, and to the Security Council in particular, to continue to mobilize and organize the support of the international community for the peace process in Afghanistan.

The President (*spoke in French*): I thank Mr. Brahimi for his comprehensive briefing and for his kind words.

In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussions this item.

The meeting rose at 3.50 p.m.